

PROB 12C
(7/93)Report Date: ~~FILED ON~~ 16, 2009
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

DEC 17 2009

for the

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Pedro Jacinto Gonzalez-Bertiz Case Number: 2:08CR06036-001

Address of Offender: Last known address unknown (currently incarcerated at MCC San Diego, 808 Union Street, San Diego, CA 92101)

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 08/08/2008

Original Offense: Alien in United States After Deportation, 8 U.S.C. § 1326(a)

Original Sentence: Prison - 16 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alexander Carl Ekstrom Date Supervision Commenced: 08/07/2009

Defense Attorney: TBD Date Supervision Expires: 08/06/2012

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 1 **Special Condition # 14:** Defendant is prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should defendant reenter the United States, you are required to report to the probation office within 72 hours of reentry.

Supporting Evidence: The defendant illegally reentered the United States without permission on or about December 7, 2009.

Information received from the U.S. Immigration and Customs Enforcement (ICE), indicates the defendant was deported to Mexico, on August 7, 2009, through Sandusky, Ohio, and has not obtained legal permission to reenter the United States.

- 2 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On December 9, 2009, a criminal complaint was filed with the U.S. District Court in the Southern District of California, charging the defendant with Alien in the United States After Deportation, in violation of 8 U.S.C. § 1326, docket number 3:09MJ03576-001.

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According to the criminal complaint, on December 7, 2009, border patrol agents observed two individuals, walking in the Windmill Canyon area which is about two miles east of the Otay Mesa, California, Port of Entry and two miles north of the United States/Mexico International Boundary. The individuals were questioned as to their citizenship, nationality, and if they had any immigration documents that would allow them to enter or remain in the United States legally. Both individuals indicated, "Mexico" and "no." The individuals were arrested and transported to the Chula Vista Border Patrol Station. One of the individuals was identified as Pedro Gonzalez-Bertiz.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

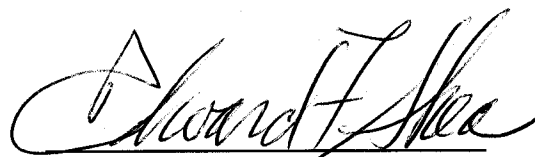
Executed on: 12/16/2009

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

12/17/09
Date